



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AF  
TPW

Applicant: Roger A. Duman                      Examiner: Peter T. deVore  
Serial No.: 10/722,240                              Group Art Unit: 3751  
Filed: November 25, 2003                              Docket: G180.147.101 / GMI6164  
  
Due Date: **May 8, 2006**  
Title: APPARATUS AND METHOD FOR TRANSPORTING CONTAINERS  
WITHIN A PACKAGING SYSTEM

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## NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated February 8, 2006, rejecting claims 1-9, 11-29, 31-46, 48, and 49. The fee for this Notice of Appeal under 37 C.F.R. §41.20(b) is **\$500.00**.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

(a) Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees 37 C.F.R. 1.17(a)(1)-1.17(a)(5) for the total number of months checked below:

- one month (\$120.00)
- two months (\$450.00)
- three months (\$1020.00)
- four months (\$1590.00)
- The extension fee has already been filed in this application.

(b) Applicant believes that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition and fee for Extension of Time.

Please charge Deposit Account No. 50-0471 in the amount of **\$500.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-0471 pursuant to 37 C.F.R. 1.25.

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**Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences**

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The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005 or

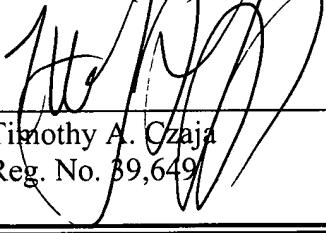
**Dicke, Billig & Czaja, PLLC**  
Fifth Street Towers, Suite 2250  
100 South Fifth Street  
Minneapolis, MN 55402

Respectfully submitted,

Roger A. Duman,  
By his attorneys,

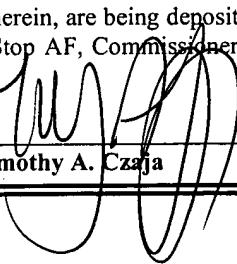
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Telephone: (612) 573-2004  
Facsimile: (612) 573-2005

Date: May 8, 2006  
TAC:jmc

  
Timothy A. Czaja  
Reg. No. 39,649

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8/8 day of May, 2006.

  
By: \_\_\_\_\_  
Name: **Timothy A. Czaja**